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ABSTRACT

This brief paper summarizes data collected by the National Association for State Directors of Special Education on state policies concerning accountability for students with disabilities receiving special education in public or private settings outside of district K-12 school buildings. It focuses specifically on participation in assessments and the reporting of assessment results. A survey was completed by State Education Agency (SEA) representatives of 30 states and 4 non-state jurisdictions. Survey data are reported concerning formal participation policies, formal reporting policies, reporting assessment results (both general assessments and alternate assessments), and other uses of assessment results. The study found that only 12 responding SEAs have formal written policies on participation in assessments by students with disabilities in out-of-district settings. Six additional states, however, noted that their policies included all students with disabilities, regardless of setting. Several SEAs noted that lack of policy or procedures is related to the small number of students in most out-of-district settings. The paper urges states to include these students in both state and district-wide assessments since the No Child Left Behind Act requires accountability for all students. (DB)

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# Accountability for Students in Out-Of-District Settings
## Quick Turn Around

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December 2002

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Quick Turn Around

Project FORUM

*QTA – A brief analysis of a critical issue in special education*

## Accountability for Students in Out-of-District Settings

December 2002

*by Eve Müller & Eileen Ahearn*

### Purpose and Background

This Quick Turn Around (QTA) summarizes data collected by Project FORUM at the National Association for State Directors of Special Education (NASDSE) on state policies concerning accountability for students with disabilities receiving special education in public or private settings outside of district K-12 school buildings. These settings include state-operated programs, public and private day and residential settings, cooperative and area programs operated jointly by groups of school districts, home and hospital programs, juvenile justice programs and similar programs.[1] This study focuses specifically on participation in assessments and the reporting of assessment results. The study was carried out as part of Project FORUM's cooperative agreement with the U.S. Department of Education's Office of Special Education Programs (OSEP).

The question of how children with disabilities are included in assessments has become more urgent as a result of the 1997 reauthorization of the Individuals with Disabilities Education Act (IDEA), which requires students with disabilities to be included in all state and district-wide assessments (34 CFR §300.138), and the 2002 reauthorization of the Elementary and Secondary Education Act, titled the *No Child Left Behind* (NCLB) Act, which mandates accountability for all students.

### Methods

Project FORUM worked closely with the OSEP-funded Educational Policy Reform Research Institute (EPRRI) at the University of Maryland to develop a survey that was sent to all state education agencies (SEAs) in August of 2002.[2]

The survey asked SEAs to respond to the following questions:

- Do you have a formal written policy regarding participation in state assessments by students with disabilities in the following settings: state-operated programs, public day or residential

[1] This study does not address private placements by parents of students with disabilities.

[2] A special thank you is extended to Stacey Kyle, graduate research assistant at EPRRI, for her substantive contribution to this document.

programs, private day or residential programs, cooperative and area programs, home and hospital programs, juvenile justice programs, and other settings?

- Are these policies available online?
- What percentage of students with disabilities in each of the settings listed above participated in last year's assessment (1) without accommodations, (2) with accommodations or (3) using an alternate assessment?
- Do you have a formal policy regarding the public reporting of assessment results of students in the settings listed above?
- How were results on last year's general assessment publicly reported for each of the settings listed above (i.e., by setting attended, with those of school of residence, with those of district of residence, not reported, or other)?
- How were results on last year's alternate assessment publicly reported for each of the settings listed above (i.e., by setting attended, with those of school of residence, with those of district of residence, not reported, or other)?
- Were scores used in any other way (e.g., shared with teachers, provided to parents, etc.)?

Thirty states and four non-state jurisdictions completed the survey between August and October 2002 for a total of 34 responses. The remainder of this document contains data from the surveys.

**Survey Results**

*Formal Participation Policies*

Of the 34 SEAs responding, 12 reported having formal written policies regarding participation in state assessments for one or more of the following settings: state-operated programs, public day or residential programs, private day or residential programs, cooperative programs, home and hospital programs, and juvenile justice programs. States are most likely to have a policy specifically referring to home and hospital programs (total of 11) and least likely to have a policy specifically referring to cooperative programs (total of 6) – probably because not all states have cooperative programs. Three states reported having formal policies referring to settings or conditions not listed on the survey (e.g., state supported charter schools, medically fragile students and students in the custody of a social services agency). Nineteen SEAs reported that policies regarding participation are available online.

Twenty-one SEAs reported that they do not have formal policies for any of the specific settings listed in the survey. However, of these 21, ten reported having general participation policies that included all children with disabilities regardless of setting. The Bureau of Indian Affairs reported that it defers to the policies of the state in which each student resides.

Only 10 SEAs provided percentages of students with disabilities who participated in last year's state assessment from one or more of the out-of-district settings. Twenty-four SEAs provided no information on participation by setting.

*Formal Reporting Policies*

Only 10 SEAs reported having a formal written policy regarding the public reporting of assessment results in the settings listed above. Twenty SEAs reported not having formal written policies, one SEA is currently developing a formal policy and three SEA respondents reported not knowing whether a formal policy was in place.

*Reporting Assessment Results*

General Assessment

SEAs with and without written policy on public reporting provided information on the reporting of last year's general assessment results from out-of-district settings. Six SEAs reported by district of residence; three reported by school of residence; one reported by setting; 15 reported using a combination of strategies; and three did not report general assessment results. For example, one SEA reported that state-operated programs were reported by setting attended; public and private day and residential programs, and home and hospital programs were reported by district of residence; and juvenile justice programs were not reported at all.

One SEA reported that all out-of-district settings were reported as a single district, and another SEA noted that scores were reported by district of residence – but only if there were more than 10 students in a setting/grade.

Five SEAs did not provide information on how last year's general assessment results from out-of-district settings were publicly reported.

Alternate Assessment

As noted above in regard to public reporting of general assessments results, SEAs with and without written policy provided information on the reporting of last year's alternate assessment results from out-of-district settings. Six SEAs reported by district of residence; one reported by school of residence; one reported by setting; nine reported using a combination of strategies; and seven did not report alternate assessment results. Ten SEAs did not provide information on how scores on last year's alternate assessment were publicly reported. Of these ten SEAs, one noted that scores from individual settings were not reported because the number of students was too small.

*Other Uses of Assessment Results*

Nineteen SEAs reported using assessment scores in other ways. For example, 14 reported sharing scores with parents; nine reported sharing scores with teachers; and 11 reported using

scores for one or more of the following purposes: program improvement; consolidated school reforms; parent special education advisory groups; gender and ethnicity report; and public meetings. Fifteen SEAs did not include information on other uses of assessment scores.

**Concluding Remarks**

Only 12 responding SEAs have formal written policies on participation in assessments by students with disabilities in out-of-district settings. Six additional states, however, noted that their policies included *all* students with disabilities, regardless of setting. Several SEAs noted that lack of policy or procedures is related to the small number of students in most out-of-district settings. Although beyond the scope of the Project FORUM survey, district-level polices may exist.

Since NCLB requires accountability for all students, states need to be mindful of including students in out-of-district settings in both state and district-wide assessments.

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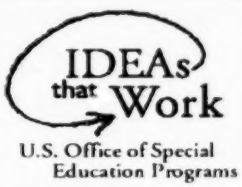


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